



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David Cavalla and Robert William Gristwood

Application No.: 10/519,594 Group: 1617

Filed: December 28, 2004 Examiner: Layla Soroush

Confirmation No.: 2624

For: 4-(2-FLUOROPHENYL)-6-METHYL-2-(1-PIPERAZINYL)THIENO[2,3-d)PYRIMIDINE IN THE TREATMENT OF FUNCTIONAL BOWEL DISORDER

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|---|--------------------|
| CERTIFICATE OF MAILING OR TRANSMISSION | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on: | |
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Supplemental Information Disclosure Statement is submitted:

Dynogen Pharmaceuticals, Inc. has acquired this application from Arachnova Therapeutics, Ltd. As such, Dynogen Pharmaceutical Inc. now owns the instant application as well as co-pending U.S. Application Nos. 10/617,847 (citation U53 on 1449 form), 10/757,364 (citation U54 on 1449 form), 11/119,357 (citation U63 on 1449 form), 11/441,905 (citation U52 on 1449 form), 10/841,319 (citation U61 on 1449 form), 10/841,318 (citation U58 on 1449 form), 10/841,317 (citation U57 on 1449 form), and 10/866,593 (citation U62 on 1449 form) which are directed to similar subject matter. This information is being provided for purposes of any potential obviousness-type double patenting rejections.



under 37 CFR 1.97(c) together with either:



a Statement under 37 CFR 1.97(e), as checked below, or



a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is a Listing of References:
 - ☒ Copies of the cited references (F3-F28, R3-R42) are enclosed.
 - ☒ Copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. [OPTION][120][121][365(c)] is claimed. [OPTIONAL [The earlier application contains copies of the cited references.]
- ☐ The listed references were cited in the enclosed Search Report in counterpart foreign application [add application number].
- ☒ The "concise explanation" requirement (non-English references) for references F10 and F16, under 37 CFR 1.98(a)(3) is satisfied by:
 - ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - ☒ the enclosed English language abstract.

- ☐ Applicant requests that the following non-published pending applications be considered:
(Affix a label or apply the stamp "Non-Published IDS Reference - Do Not Scan" to the front of each unpublished pending appl'n.)

U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

- ☐ A copy of each above-cited application, including the current claims, is enclosed, except any application filed on or after June 30, 2003, which has been scanned into the PTO's Image File Wrapper (IFW) system and is available to the examiner.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. [OPTION][120][121][365(c)] is claimed.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☒ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. If this submission is in paper form, a copy of this letter is enclosed for accounting purposes.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[]. If this submission is in paper form, a copy of this letter is enclosed for accounting purposes.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

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